

**UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA**

UNITED STATES OF AMERICA,

Plaintiff,

VS.

ALEX MARQUEZ-SANTIESTEBAN,

Defendant.

Case No.: 2:14-cr-0330-GMN-CWH

ORDER

Pending before the Court is Defendant Alex Marquez-Santiesteban's Motion for

Reduction of Sentence under Amendment 782. (ECF No. 100).

On June 29, 2015, Defendant pled guilty to Count One of the Superseding Indictment of Conspiracy to Distribute a Controlled Substance, in violation of 21 U.S.C. §§ 846, 841(a)(1), and 841(b)(1)(A)(viii). (ECF No. 74, 75). On October 1, 2015, the Court imposed a sentence of 46 months in custody, along with three years of supervised release. (ECF No. 90).

In his motion, Defendant requests appointment of counsel and a reduction of his sentence pursuant to 18 U.S.C. § 3582(c)(2) based on Amendment 782. (ECF No. 100).

Amendment 782 became effective November 1, 2014. Defendant was sentenced using the 2014 Sentencing Guidelines, which already incorporated Amendment 782. Accordingly, the Court finds that Defendant is ineligible for a sentence reduction under Amendment 782 and appointment of counsel would be futile.

IT IS HEREBY ORDERED that Defendant's Motion for Reduction of Sentence (ECF No. 100) is **DENIED**.

DATED this 23 day of December, 2015.

Gloria M. Navarro, Chief Judge
United States District Court